

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Telephone Number Portability ) CC Docket No. 95-116

COMMENTS

BellSouth Corporation,<sup>1</sup> on behalf of its affiliated companies,<sup>2</sup> by counsel, files its comments to the Petition for Waiver of the Cellular Telecommunications Industry Association ("CTIA Petition") on November 24, 1997 in the above-referenced docket.<sup>3</sup> BellSouth agrees with the facts as outlined in the CTIA Petition and anticipates that significant changes in the CMRS number portability ("LNP") implementation date or requirements may be warranted. The appropriate time to reexamine the reasonableness of

<sup>1</sup> BellSouth Corporation (BSC) is a publicly-traded Georgia corporation that holds the stock of companies which offer local telephone service, provide advertising and publishing services, market and maintain stand-alone and fully integrated communications systems, and provide mobile communications and other network services world-wide.

<sup>2</sup> BellSouth Telecommunications, Inc. (BST), a Bell operating company that provides wireline telephone exchange service and exchange access service in parts of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee, and BellSouth Cellular Corp., a Georgia corporation that owns the stock of BellSouth Mobility Inc. and American Cellular Communications, companies which construct and operate cellular systems throughout the United States, participated with BSC in the preparation of these Comments. These entities, together with BST and BSC, are collectively referred to as BellSouth.

<sup>3</sup> *Wireless Telecommunications Bureau Seeks Comment on CTIA Petition for Waiver to Extend the Implementation Deadlines of Wireless Number Portability*, CC Docket No. 95-116, Public Notice DA 97-2579 (Dec. 9, 1997).

the June 30, 1999, implementation date, however, is after publication of follow up reports by the CTIA Wireless Number Portability (“WNP”) Task Force scheduled for April, 1998,<sup>4</sup> and the North American Numbering Council (“NANC”) recommendation on wireless number portability implementation issues, which is due no later than May 18, 1998.<sup>5</sup>

### ARGUMENT

The CTIA Petition correctly states that before the release of the Commission’s *First Report and Order*<sup>6</sup> the wireless industry was taking steps to solve the unique difficulties CMRS providers face in implementing number portability; that, consistent with the *First Report and Order*, industry working groups had set June 30, 1999 as their deadline; that the problem solving process has proven more complex than originally anticipated; that final standards have not yet been developed for Mobile Identification Number (“MIN”) and Mobile Directory Number (“MDN”) separation; and that certain

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<sup>4</sup> Beginning this month, CMRS industry representatives will meet monthly for one week in order to continually monitor and update efforts to support wireless-to-wireless porting. One of the most challenging tasks of the industry working group will be to determine how LNP-capable and non-LNP-capable CMRS networks can co-exist in an LNP environment. This group will therefore be in a position to provide an updated WNP implementation estimate in light of related industry-wide efforts. An updated CTIA WNP report is expected in April 1998.

<sup>5</sup> *Telephone Number Portability*, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 8352 (1996); Second Report and Order, CC Docket No. 95-116 (August 18, 1997) at ¶ 91.

<sup>6</sup> *Telephone Number Portability*, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 8352 (1996).

final provisions of wireless number portability implementation are dependent upon the existence of as yet undeveloped wireline number portability standards.<sup>7</sup>

Indeed, the *CTIA Report on Wireless Number Portability* (“*CTIA Report*”) was the outcome of several months of concentrated effort by industry technical experts to “characterize the network and architecture and operational procedures necessary to solve the problem of introducing number portability into the wireless industry” pursuant to the *First Report and Order*.<sup>8</sup> The *CTIA Report* was developed to comply with an interpretation that the *First Report and Order* required that “all cellular broadband PCS and covered SMR carriers [must] offer service provider portability *throughout their networks*, including the ability to support roaming, by June 30, 1999.”<sup>9</sup> Thus, a fundamental assumption of the *CTIA Report* was that all CMRS providers subject to the Commission’s number portability mandate would implement a long term database method for number portability throughout their networks simultaneously. Service provider portability would therefore be ubiquitously available to wireless customers nationwide because all cellular, broadband PCS and covered SMR carriers would be LNP-capable at the same time.

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<sup>7</sup> *CTIA Petition* at 2-3.

<sup>8</sup> *CTIA Report*, Revision 1.0 (April 11, 1997) at 5. The *CTIA Report* identified various areas that needed resolution or clarification. Several of the issues have been or are in the process of being resolved, such as the establishment of a national MIN administrator, definition of IS-41 protocol standards by the TR-45 standards groups, and the procedures for supporting short message service for ported subscribers. However, resolution of other issues has taken more time than originally anticipated.

<sup>9</sup> *First Report and Order*, 11 FCC Rcd 8352 at ¶ 166 (emphasis added).

One month before the *CTIA Report* was released, but long after its contents were finalized, the *Order on Reconsideration*<sup>10</sup> altered a fundamental technical tenet of the *CTIA Report*, clarifying the requirement that all CMRS providers subject to the Commission's number portability mandate implement number portability capabilities at the same time. Instead, the Commission clarified "that, by June 30, 1999, CMRS providers must (1) offer service provider portability in the 100 largest MSAs, and (2) be able to support nationwide roaming."<sup>11</sup> The *Order on Reconsideration* went on to state that "CMRS carriers need only deploy LNP by this deadline in the 100 largest MSAs in which they have received a specific request at least nine months before the deadline (*i.e.*, a request has been received by September 30, 1998)."<sup>12</sup> The result of these changes is that wireless number portability deployment may no longer be simultaneous or ubiquitous, posing complicated implementation issues in light of the concurrent nationwide roaming requirement.<sup>13</sup>

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<sup>10</sup> *Telephone Number Portability*, First Memorandum Opinion and Order on Reconsideration, 11 FCC Rcd 7236 (1997).

<sup>11</sup> *Order on Reconsideration*, ¶ 136.

<sup>12</sup> *Id.* at ¶ 137.

<sup>13</sup> Wireless systems will have to make a number of technical changes in order to provide service provider number portability. For analog wireless systems, probably the most onerous modification is the separation of the MIN from the MDN. *CTIA Petition at* 6-7. Currently, the MIN and MDN are the same ten-digit value. When end users port from a wireless carrier, they port their MDN (telephone number) to the new carrier. The MIN remains with the old carrier and will be reassigned, as a MIN, to a subsequent customer. Thus, a single ten-digit value can be a MIN for one customer in a given network and an MDN for a second customer in another network. The MIN and the MDN may continue to be the same value for end users that have not ported.

CMRS carriers who operate outside the 100 largest MSAs have no requirements (except for nationwide roaming) to make the costly modifications necessary to support service provider number portability. Therefore, many will not elect to implement LNP in these markets. At the same time, other CMRS carriers (at a minimum, those operating in the 100 MSAs) will have to implement LNP functionality by June 30, 1999. These carriers will have to proceed with the complex technical and operational changes, including the MIN/MDN separation, detailed in the *CTIA Report*. The technical and operational impacts of this dichotomy are largely unknown. Additional time may therefore be required to determine how LNP-capable and non-LNP-capable CMRS carriers can co-exist in an LNP environment.

There are several potential scenarios to be explored. It may become evident that non-LNP carriers need not split the MIN and MDN at all. A second possibility is that these carriers may be required to separate the MDN and MIN for external purposes only to accommodate ported end users roaming in their area. (The MIN and MDN could be the same value for internal systems.) Other outcomes are also possible. In any case, it is virtually certain that some modification to the *CTIA Report* effort to implement wireless number portability will result. These modifications will likely impact industry-wide efforts to support portability between technologies.

Finally, the Commission recognized that the April 1997 NANC *Architecture and Administrative Plan for LNP* and *LNPA Technical and Operational Requirements Task Force Report* did not address CMRS concerns. In response, the Commission wrote,

[W]e recognize that it will probably be necessary to modify and update the current LNP standards and procedures in order to support wireless number portability . . . . Thus, we direct the NANC to develop standards and

procedures necessary to provide for CMRS provider participation in LNP. . . . We further direct the NANC to present its recommendations as soon as possible, but not later than nine months after the release of *this Second Report and Order*.<sup>14</sup>

The appropriate time to reexamine the reasonableness of the June 30, 1999 implementation date, therefore, is after the NANC recommendation, which is due no later than May 18, 1998, has been released. Any such reexamination must include an adequate analysis of the revised *CTIA Report*, due the preceding month, and full consideration of the interrelationship of both reports.<sup>15</sup> Both the NANC Recommendation and the next revision of the *CTIA Report* will likely present their own amended timelines, and each may raise unique considerations.

Under current regulatory requirements, it will be necessary for both the CTIA and NANC technical recommendations to be supported ubiquitously nationwide. It is likely that a true-up period will be required during which time the NANC and CTIA plans are integrated. Then, technical standards must be developed and supported by vendors. The length of time to implementation is directly related to the magnitude of required changes and the extent to which any new methods deviate from those currently envisioned.

### **CONCLUSION**

The Bureau should consider exercising its delegated authority to modify the June 30, 1999 wireless number portability implementation date after its full consideration

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<sup>14</sup> *Second Report and Order, infra*, n. 3.


<sup>15</sup> NANC has been directed by the Commission to monitor industry efforts in connection with its recommendation.

of the revised *CTIA Report* and the NANC Recommendation on Wireless Implementation of Service Provider Number Portability.

Respectfully submitted,

BELLSOUTH CORPORATION

By:

A handwritten signature in black ink, appearing to be "M. Robert Sutherland" and "Theodore R. Kingsley" joined together, written over a horizontal line.

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Date: January 9, 1998

## **CERTIFICATE OF SERVICE**

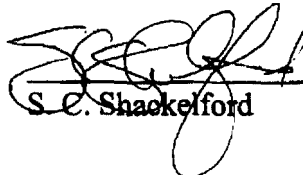
I do hereby certify that I have this 9th day of January, 1998, served all parties to this action with a copy of the foregoing **COMMENTS** by placing a true and correct copy of same in the United States Mail, postage prepaid, addressed to the parties listed hereinbelow.

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